

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11101 of 2004

Between:

K.V. Sridhar, S/o. Late Nooka Raju, aged 38 years, R/o. Door No. 10-4-126, Sri Ram Nagar, Gajuwaka, Visakhapatnam-26, Visakhapatnam District.

..... PETITIONER

AND

- 1 The Regional Manager, APSRTC, Visakhapatnam, Visakhapatnam District.
- 2 The Depot Manager, APSRTC, Gajuwaka, Visakhapatnam, Visakhapatnam District.**RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court may be pleased to issue an appropriate Writ, Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not considering the case of the petitioner for recruitment as Driver in APSRTC basing on the fresh Heavy Transport Vehicle Driving License produced by the petitioner herein pursuant to his Proceedings No. P3/684(4)/2000-R.M., Visakha dt. 31.8.2000 as arbitrary, illegal and contrary to law and consequently direct the respondents herein to recruit the petitioner as Driver in APSRTC in one of the existing vacancies forthwith and pass such other or further orders in the interest of justice.

Counsel for the Petitioner: MR. CHALLARI NAGESWARA RAO

Counsel for Respondents: MR. Y.VIVEKANANDA SWAMY STANDING COUNSEL FOR APSRTC

The Court at the admission stage made the following ORDER:

The writ petitioner was initially selected and recruited as Driver Grade III in the Andhra Pradesh State Road Transport Corporation (respondent) at Visakhapatnam region through employment exchange. His services were terminated on the ground that he was not having a valid driving licence vide proceedings dated 19.03.1997. Then, he made a representation to the concerned authority. The authority, by its proceedings dated 31.08.2000, directed the writ

petitioner to produce Heavy Transport Vehicle Licence from the concerned authorities and submit a copy of such licence on or before 30.11.2001. Thereafter, on 26.12.2000, a test was again conducted and he was given an authorization to drive heavy vehicles. He gave a representation to the respondents to consider his case for recruitment as a driver. The same has not been considered. Hence, the present writ petition.

2 . Appropriate orders have to be passed by the respondents after submitting a representation of the petitioner dated 29.09.2000. The same shall have to be considered by the respondents in accordance with law. Therefore, a direction can be given to the respondents to consider the case of the petitioner for appointment as driver as per the rules and regulations of the respondent- Corporation within a period of 4 (FOUR) months from the date of receipt of a copy of this order.

3. The writ petition is disposed of at the stage of admission. In the circumstances, no order as to costs.

(K.C.BHANU, J)

Dated: 7th July, 2004.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

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Copies to

1.The Regional Manager, Andhra Pradesh State Road Transport Corporation,
Visakhapatnam, Visakhapatnam district.

- 2.The Depot Manager, APSRTC, Gajuwaka, Visakhapatnam,
Visakhapatnam district.
- 3.Two CD copies.